

Remarks

The Office Action mailed 30 October 2003 has been received and reviewed. Claims 1-20, 22-44, and 47-49 having been amended, and claims 50-54 having been cancelled, the pending claims are claims 1-20 and 22-49. Reconsideration and withdrawal of the rejections are respectfully requested.

Each of the claims has been amended to clarify that the nonwoven web that includes the recited fibers is an adhesive nonwoven web. Support is at, for example, page 3, line 29 through page 4, line 3.

The Examiner is requested to note that claims 1-20 and 22-49 are currently pending. The method claims (50-54) have been cancelled and the fiber claims (1-25) have been amended to recite an adhesive nonwoven web comprising pressure sensitive adhesive fibers. Nonwoven webs, stretchable removable articles, and medical articles were within elected Group I (see Restriction Requirement dated August 8, 2002) along with fibers. Claims 26-49 include articles, particularly stretch, removable articles and medical articles, and tapes. All claims recite an adhesive nonwoven web, whether it be in an article, a medical article, a stretch removable article, or a tape. It is respectfully submitted that each of these claims could be examined without undue burden on the Examiner. Thus, it is respectfully requested that claims 26-39 be rejoined.

Example 48 has been amended to correctly refer to Examples 30 and 41. This amendment is necessary to correct an inadvertent error. The error resulted in Examples 45 and 48 being the same, but with different data (see Table 3). Thus, Applicants are requesting that this error be corrected so as not to mislead the public.

The 35 U.S.C. §102 and §103 Rejections

The Examiner rejected claims 1-20, 22-25, 40-45, and 47-49 under 35 U.S.C. §102(e) as being anticipated by Riedel et al. (U.S. Patent No. 6,133,173). The Examiner rejected claims 1 and 46 under 35 U.S.C. §103(a) as being unpatentable over Hicks, Jr. (U.S. Patent No.

4,659,923) in view of Riedel et al. (U.S. Patent No. 6,133,173). These rejections are respectfully traversed.

There is no teaching or suggestion in either document of an adhesive nonwoven web that includes the fibers of the present claims. In contrast, Riedel et al. recites a nonwoven cohesive wrap that is "formed into a roll form without the use of release liners or release coatings yet still results in a roll of coherent material such that can be easily dispensed without blocking, tearing, or cohesive failure (e.g., splitting of the fibrous web or wrap) of the wrap" (Col. 10, lines 32-37). This leads to a nonwoven cohesive wrap that "is coherent such that it can be dispensed, wound on itself and unwound or removed without the wrap tearing, splitting, or the like" (Col. 10, lines 59-61).

The Examiner's attention is directed to the documents listed on the accompanying 1449 form as evidence that one of skill in the art recognizes the difference between adhesive and cohesive materials. An adhesive article will adhere to a variety of dissimilar surfaces, whereas a cohesive article will typically only stick to itself. Thus, one of skill in the art would understand that, as indicated by Riedel et al., cohesive wraps are those that stick to themselves rather than to other materials.

The cited documents fail to provide motivation as to why one of ordinary skill in the art would replace the fibers of the nonwoven cohesive wrap of Riedel et al. with the pressure sensitive adhesive fibers of the adhesive nonwoven web of Applicants' claims. There must be a suggestion or teaching in the prior art that Applicants' claimed invention could or should be prepared. *In re Vacek*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (C.A.F.C. 1991); *In re O'Farrell*, 853 F.2d 894, 7 U.S.P.Q.2d 1673 (C.A.F.C. 1988). It appears that it is only in hindsight, i.e., picking and choosing among the disclosures of the cited art with knowledge of Applicants' disclosure, that the Examiner can arrive at the conclusion that Applicants' invention is obvious. Therefore, there is no combination of the cited documents that are available as prior art that render Applicants' invention obvious.

Amendment and Response

Page 17 of 17

Serial No.: 09/847,942

Confirmation No.: 6169

Filed: 2 May 2001

For: PRESSURE SENSITIVE ADHESIVE FIBERS WITH A REINFORCING MATERIAL

Summary

It is respectfully submitted that the pending claims 1-20, 22-25, and 40-49 are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted for
Eugene G. JOSEPH et al.

By

Mueeting, Raasch & Gebhardt, P.A.

P.O. Box 581415

Minneapolis, MN 55458-1415

Phone: (612) 305-1220

Facsimiles (612) 305-1228

Date

Jan 27, 2004

By:

Ann M. Mueeting

Reg. No. 33,977

Direct Dial (612)305-1217

CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EV 073 687 466 US

Date of Deposit: January 27, 2004

I hereby certify that the Transmittal Letter and the paper(s) and/or fee(s), as described hereinabove, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and in accordance with the Commission for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By:

Name:

Rachel Gayland-Graban